

## Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 HA-05 CIAE-00 DODE-00 PM-05 H-01  
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O R 242143Z JUL 78  
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TO SECSTATE WASHDC IMMEDIATE 9946  
INFO AMEMBASSY BUENOS AIRES  
AMEMBASSY LA PAZ

AMEMBASSY LIMA  
USCINCSO

C O N F I D E N T I A L SANTIAGO 5509

E. O. 11652: GDS  
TAGS: PINT, PGOV, CI  
SUBJECT: LEIGH TO TAKE OUSTER TO COURTS -- SANTIAGO NORMAL

1. SUMMARY: PINOCHET APPEARS TO HAVE CARRIED OUT THE OUSTER  
OF AIR FORCE JUNTA MEMBER LEIGH, AND HIS REPLACEMENT BY FERNANDO  
MATTHEI, SMOOTHLY AND SUCCESSFULLY. LEIGH IS GOING TO THE COURTS.  
HE HAS SPECIFICALLY RULED OUT VIOLENCE BY AIR FORCE SUPPORTERS.  
IT IS NOT YET CLEAR WHETHER THE CIVILIAN SUPPORTERS OF LEIGH WILL  
SPEAK OUT OR LAY LOW. THE IMPENDING LETELIER CASE INDICTMENTS WEIGH  
HEAVY IN LOCAL THINKING. END SUMMARY.

2. SWEARING-IN CEREMONY FOR NEW AIR FORCE CHIEF AND JUNTA MEMBER  
FERNANDO MATTHEI CONSISTED OF INTERIOR-SUB-SECRETARY MONTERO READING  
THE TEXT OF JUNTA DECREE 738, OF PINOCHET HIMSELF ADMINISTERING  
OATH OF OFFICE AND OF SEVEN TO EIGHT MINUTE SPEECH BY PINOCHET  
EXPLAINING WHY THE PRESENT ACTION WAS NECESSARY. JUNTA DECREE  
738 CITES ARTICLE 18 OF DECREE LAW (DL) 527 OF JUNE 17, 1974 AS  
LEGAL BASIS FOR LEIGH'S OUSTER. THAT ARTICLE SAYS IN PART: "WHEN  
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IT MAY BE NECESSARY TO REPLACE ONE OF THE MEMBERS OF THE JUNTA  
OF GOVERNMENT BECAUSE OF DEATH, RENUNCIATION, OR ANY OTHER FORM OF  
ABSOLUTE INCAPACITY (IMPOSIBILIDAD ABSOLUTA) OF THE INCUMBENT,  
THE JUNTA WILL DESIGNATE THE INSTITUTIONAL COMMANDER IN CHIEF  
AND CHIEF OR THE DIRECTOR GENERAL OF THE CARABINEROS THAT MUST  
REPLACE HIM." THE KEY WORDS HERE ARE ABSOLUTE INCAPACITY WHICH WERE  
CITED IN THE JUNTA'S STATEMENT EARLIER TODAY. IT CITES PARAGRAPHS

5 AND 11 OF ARTICLE 10 OF THE SAME DECREE LAW AS THE AUTHORITY FOR THE NAMING OF A NEW CHIEF OF THE AIR FORCE. THIS ARTICLE SETS FORTH THE POWERS OF THE PRESIDENT, AND INCLUDES THE AUTHORITY, IN CONSULTATION WITH THE JUNTA TO ORGANIZE AND DIRECT THE ARMED FORCES OF AIR, SEA AND LAND.

3. SHORTLY AFTER MATTHEI WAS SWORN IN, LEIGH ISSUED HIS OWN STATEMENT. HE NOTES THAT HE HAS BEEN EXPELLED BY THE OTHER THREE MEMBERS. IN DOING SO, LEIGH SAYS, THE OTHER MEMBERS OF THE JUNTA REJECTED THE AIR FORCE PROPOSAL TO RESOLVE OUTSTANDING DIFFERENCES REGARDING CHILE'S INSTITUTIONAL FUTURE BY MEANS OF A SERIES OF JUNTA MEETINGS. LEIGH CLAIMS THAT HIS EXPULSION IS IN FLAGRANT VIOLATION OF DL 527 AND THAT HE WILL TAKE HIS CASE TO THE COURTS. HE CONCLUDES THAT HE CONTINUES TO BE MOTIVATED BY THE HIGHEST INTERESTS OF THE NATION AND OF HIS OWN INSTITUTION (I.E., THE AIR FORCE) WHICH, DESPITE ITS UNANIMOUS SUPPORT FOR HIM, WILL NOT RESORT TO ANY ACT OF FORCE ON HIS BEHALF.

4. MATTHEI, FOR HIS PART, IS REPORTED TO HAVE TOLD THE PRESS THAT HE WAS TOTALLY SURPRISED BY TODAY'S TURN OF EVENTS. HE CLAIMS THAT HE WAS PLANNING TO RESIGN FROM THE AIR FORCE THIS MORNING BECAUSE HE WAS NOT IN AGREEMENT WITH THE POSITIONS TAKEN BY GENERAL LEIGH. HOWEVER, AT 0815 HOURS HE WAS CALLED TO THE MINISTRY OF DEFENSE AND WAS TOLD BY PINOCHET AND THE OTHER MEMBERS OF THE JUNTA (IT IS NOT CLEAR WHETHER LEIGH WAS ALSO PRESENT AT THIS POINT) THAT HE HAD BEEN DESIGNATED COMMANDER-IN-CHIEF OF THE AIR FORCE AND CONFIDENTIAL

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MEMBER OF THE JUNTA. MATTHEI NOTED THAT WHEN A GENERAL IS PROMOTED ABOVE THOSE MORE SENIOR IT IS NORMAL FOR HIS ERSTWHILE SUPERIORS TO RETIRE. IN THIS CASE, ACCORDING TO OUR RECORDS, 8 AIR FORCE OFFICERS, IN ADDITION TO GUSTAVO LEIGH, WILL BE FORCED OUT. THEY ARE IN ORDER OF PRECEDENCE: JOSE MARTINI LEMA, AIR FORCE CHIEF OF STAFF; NICANOR DIAZ ESTRADA, DEFENSE MINISTRY CHIEF OF STAFF; SERGIO LEIGH GUZMAN, DIRECTOR OF CIVIL AVIATION; GERARDO LOPEZ ANGULO, DIRECTOR OF PERSONNEL; SERGIO FIGUEROA GUTIERREZ, CHIEF OF STAFF TO LEIGH IN HIS JUNTA CAPACITY; RAUL VARGAS MIQUEL, DIRECTOR OF OPERATIONS; JACOBO ATALA BARCUDI, HEAD OF LOGISTICS; AND, EDUARDO FORNET FERNANDEZ, CHIEF OF COMBAT COMMAND.

5. THE SITUATION HERE APPEARS CALM AND UNDER CONTROL. WE HAVE BEEN TOLD, BUT DO NOT HAVE CONFIRMATION, THAT THE ARMED FORCES HAVE BEEN PUT ON A STATE OF ALERT. THERE ARE REPORTS OF SOME TROOP MOVEMENTS AROUND SANTIAGO BUT APPARENTLY FOR PRECAUTIONARY PURPOSES. THERE ARE SOMEWHAT MORE CARABINEROS IN FRONT OF THE DEFENSE MINISTRY AND DIEGO PORTALES THAN IS NORMAL. TWO MEMBERS OF THE USMILGP WITH OFFICES WITHIN THE DEFENSE MINISTRY WERE TOLD THIS MORNING TO LEAVE THE BUILDING AND NOT RETURN UNTIL SPECIFICALLY REQUESTED. THEY HAVE MOVED OVER TO THE EMBASSY BUILDING UNTIL THE AIR CLEARS. ACCORDING TO A CHRISTIAN DEMOCRATIC PARTY (PDC) SOURCE

THE LEADERS OF THAT PARTY HAVE GONE TO FRIENDS' HOUSES TODAY FOR FEAR OF A POSSIBLE GOVERNMENT CRACKDOWN. THE MEDIA HAVE BEEN INSTRUCTED NOT TO PRINT ANY RELEASES FROM THE LEIGH CAMP, OTHER THAN LEIGH'S OWN STATEMENT WHICH WAS PUT OUT BY DIEGO PORTALES.

6. COMMENT: AT FIRST BLUSH PINOCHET SCORED A MAJOR VICTORY TODAY. HE FOUND ANOTHER AIR FORCE GENERAL WILLING TO REPLACE LEIGH. LEIGH, WHILE PROMISING TO FIGHT HIS OUSTER IN THE COURTS, HAS IN A SENSE LEFT QUIETLY. BY GOING DOWN AS FAR AS MATTHEI, THE PINOCHET FORCES HAVE APPARENTLY ALSO GOTTEN RID OF (VIA FORCED RETIREMENT) LEIGH'S STRONGEST SUPPORTERS WITHIN THE AIR FORCE. THERE IS AN ALTERNATIVE THESIS MAKING THE ROUNDS IN PDC CIRCLES. THIS IS THAT LEIGH SAW THE HANDWRITING ON THE WALL IN THE LETELIER CASE AND IS NOT UNHAPPY TO BE FORCED OUT NOW. WHEN THE INDICTMENTS  
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COME AND EXTRADITION IS REQUESTED FOR THE THREE CHILEAN ARMY OFFICERS, THE ARMY GENERALS WILL TURN AGAINST PINOCHET AND A NEW JUNTA WILL BE NAMED. LEIGH WOULD HAVE BEEN OUT IN ANY EVENT. THIS WAY HE PARTIALLY ESCAPES THE LETELIER TARNISH. THERE IS NO DOUBT IN THESE PARTS THAT THE LETELIER CASE REMAINS THE MAIN FEATURE. THE EVENTS OF TODAY WERE AN IMPORTANT PRELIMINARY -- NOT THE MAIN BOUT.  
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## Message Attributes

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